

REMARKS

This is in response to the Office Action mailed August 22, 2007. Claims 1, 3, and 4 have been amended. Support for currently amended claim 1 can be found throughout the specification as originally filed, for example, at page 6, lines 18-19. Claims 1, and 3-9 remain pending.

Rejections Under 35 U.S.C. § 103(a)

The Office Action has rejected claims 1 and 3-9 under 35 U.S.C. § 103(a) as being obvious over Gross et al. (5,900,074) in view of Powling et al. (2006/0231577). Applicants respectfully traverse this rejection.

The Office Action states that Gross et al. discloses a process of making a liquid fatty acid soap that comprises saponifying fatty acids with sodium hydroxide and water to produce a 60/40 tallow/coco fatty acid ratio, and that Powling et al. discloses a pump for dispensing liquids such as soaps. The Office Action further states that it would have been obvious to combine the liquid soap product of Gross et al. with the dispenser of Powling et al. "because the artisan of ordinary skill would have been motivated to include a mechanism to dispense said liquid soap onto the users skin to effectively deliver the product." Applicants respectfully disagree.

Powling et al. does not teach or suggest a non-propellant dispenser with a *foam dispenser head*. The invention of Powling et al. is directed to a dispensing pump for a viscous liquid. *See* claim 1 of Powling et al. Powling et al. does not disclose a foam head, or any apparatus for foaming the liquid to be dispensed. Although Powling et al. states that the dispensing pump can be used with soap, Powling et al. also discloses that the pump can be used for dispensing liquids in the food service industry (e.g., ketchup, and mustard), dispensing liquids in an industrial setting (e.g., hard surface cleaners, degreasers), as well as dispensing liquids in a medical setting

(e.g., disinfectants). *See* numbered paragraph 0063 of Powling et al. Applicants respectfully submit that it would not be obvious to one of skill in the art to use the dispenser of Powling et al. to foam soap, as Powling et al. is directed to dispensing viscous liquids, e.g., ketchup, which are not ordinarily foamed.

Further, Applicants respectfully submit that the Office Action has not pointed to anything in the art or the knowledge of the skilled artisan generally at the time of the invention, which discloses a liquid soap capable of being foamed without the use of additional ingredients, e.g., surfactants and foam boosters. The liquid soap for use in the soap product of the present invention *consists of* an alkali salt of a C₆ to C₂₄ fatty acid, and has a viscosity of less than 100 cps. All of the soap products disclosed by Gross et al. are related to a final soap *bar* product. Although Gross et al. discloses that the *process* is applicable to liquid soap products, it does not teach or suggest a liquid soap capable of being foamed as claimed in the present invention.

When a shaped solid product such as a hand held bar of soap is the desired final product, certain issues, e.g., handling problems, and undesired plasticity, must be taken into consideration when formulating the product. *See* Gross et al. col. 3, lines 60-65. One of skill in the art would recognize that the same issues may not arise when forming a liquid soap composition. Thus, Applicants respectfully submit that it would not be obvious to one of skill in the art to use the same amount of alkali salts and solids used in formulating a bar soap when formulating a liquid soap. For at least these reasons, Applicants respectfully request that this rejection be withdrawn.

Summary

It is respectfully submitted that each of the pending claims is in condition for allowance, and notification to that effect is kindly requested. The Examiner is invited to contact the Applicants' primary attorney-of-record, Anneliese S. Mayer, at (651) 795-5661, if it is believed that prosecution of this application may be assisted thereby.



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